

City of San Marcos – San Marcos Professional Firefighters Association
MEET AND CONFER SUMMARY OF AGREED CHANGES
RATIFIED BY THE SMPFFA PENDING CITY COUNCIL APPROVAL
Effective October 1, 2023 – September 30, 2026*

**Changes to Hiring and Fire Marshal Articles effective immediately upon approval of the City Council*

Hiring

Identify ways to improve the pool of candidates and provide priority in hiring to the most qualified candidates and additional compensation for candidates who are dual certified and have worked in similar fire services.

- Increase maximum age to test for firefighter: Increase the maximum age for hiring a firefighter from age 35 through age 40.
- *Widen applicant pool by adding the option to hire candidates without minimum certifications at hire and providing training.*
- *Add tiered ranking of candidates from most qualified to least qualified within an eligibility list.*
- Add the rank of recruit to provide a designated rank for employees with no certifications and those with only EMT.
- Written Examination – Education points: Expand 5 additional points for social service degrees (maximum of 8 total additional points).
- Lateral Entry Program:
 - Expand lateral entry program to hire qualified candidates up to step 19.08 of the firefighter pay scale. Reduce required certification for lateral entry consideration from Firefighter/Paramedic to Firefighter/EMT Basic (or higher).
 - Allow certified candidates to be hired through the online recruiting process without competing through an examination with at least one year of full-time work experience with similar duties in a comparable department without a break in service of more than 180 days.
 - Reduce experience required to be considered for lateral entry with a similarly situated department from two years to one year to be eligible for lateral entry.
- Expand the new hire probationary period to 365 days following the completion of the departments “mini academy” prior to being a member of the civil service classified service.
- Allow for hiring of part-time sworn firefighters for limited purposes outside of operations who are not in the classified service.

Wages:

Market pay adjustment to attract and retain qualified firefighters.

- Base pay increases of:
 - Year 1 – 8.0%
 - Year 2 – 5.0%
 - Year 3 – 4.5%
- Add the rank and steps for recruit for candidates not possessing required Fire and EMS certifications at hire.

Fire Marshal:

- Authorize an additional Assistant Chief position for the Fire Marshal. (Prior non-civil service Fire Marshal was an Assistant Chief).
- Realign job requirements for fire marshal.
- Continue provision to hire a Fire Marshal from outside the department (outside of Civil Service) if there is not a qualified candidate(s) who is interested in serving as fire marshal within the department.

Promotions:

- Update training points to be eligible for promotion.
- Physical examination is only required on promotion if moving to a more physically demanding rank.
- Add scenario-based Assessment Center to provide a broader opportunity to evaluate and select the best qualified candidate(s) beyond a written examination for promotion to Battalion Chief.
- *Promotional eligibility lists valid for 18 months following assessment.*

Discipline / Firefighter Accountability:

- Expand the ability to use earned vacation rather than time off for an unpaid suspension. From 24 hours to 48 hours for waiver of right to arbitration.
- Authority of an Arbitrator - Both parties agree to continue discussing the authority of an arbitrator/third party hearings examiner at the next negotiation (as an issue).

Investigations and Disciplinary Suspensions

- Non-criminal provides chief must file complaint within 180 days of occurrence and take formal discipline no later than 180 days after the date of the complaint.
- Add provisions for sexual harassment violations allowing a complaint within 300 days of the occurrence to align with state and federal law and to take formal discipline no later than 180 days.
- Criminal violations – Chief must file written complaint within 180 days of the Chief's discovery of the act and take formal discipline no later than 180 days after the chief files the complaint. The 180-day period shall be extended for a period not to exceed 30 days after the final disposition of any pending criminal proceedings regarding the alleged act.
- Pausing of deadlines – timelines are paused at the Chief's discretion because of state or federally mandated leaves (for example: FMLA, military leave and workers' compensation).

Financial Triggers:

Add more specific language on opening discussions regarding triggers for discussions between the City and the Association in relation to reductions in sales tax which tie to the City's Financial Policy.